

| ORDER FOR SUPPLIES OR SERVICES | | | | PAGE 1 | OF 5 | PAGES |
|--|---|--|--|--|----------------|---------------------------|
| IMPORTANT: Mark all packages and papers with contract and/or order numbers. | | | | | | |
| 1. DATE OF ORDER 06/02/2009 | | 2. CONTRACT NO. (If any) | | 6. SHIP TO: CDR David L. Mund | | |
| 3. ORDER NO. DTMA5V09192 | | 4. REQUISITION/REFERENCE NO. CMDT09-036 | | a. NAME OF CONSIGNEE U.S. MERCHANT MARINE ACADEMY | | |
| 5. ISSUING OFFICE (Address correspondence to) U.S. Merchant Marine Academy (Procurement) MMA-5206, Division of Procurement Kings Point NY 11024-1699 | | | | b. STREET ADDRESS Commandant's Office | | |
| | | | | c. CITY Kings Point | d. STATE NY | e. ZIP CODE 11024-1699 |
| 7. TO: | | | | f. SHIP VIA | | |
| a. NAME OF CONTRACTOR | | | | 8. TYPE OF ORDER | | |
| b. COMPANY NAME NANA Services, LLC | | | | <input checked="" type="checkbox"/> a. PURCHASE REFERENCE YOUR: Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated. | | |
| c. STREET ADDRESS 3150 C Street, Suite 250 | | | | <input type="checkbox"/> b. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract. | | |
| d. CITY Anchorage | | e. STATE AK | | f. ZIP CODE 99503 | | |
| 9. ACCOUNTING AND APPROPRIATION DATA - 7009 - 1750MA - 2009 - - 1PDA - 00 - 0007 - 0000 - - 540000 - - - 25305 - 6100 - 6600 - | | | | 10. REQUISITIONING OFFICE U.S. MERCHANT MARINE ACADEMY | | |
| 11. BUSINESS CLASSIFICATION (Check appropriate box(es)) | | | | | | 12. F.O.B. POINT |
| <input checked="" type="checkbox"/> a. SMALL <input type="checkbox"/> b. OTHER THAN SMALL <input checked="" type="checkbox"/> c. DISADVANTAGED <input type="checkbox"/> g. SERVICE-DISABLED VETERAN-OWNED <input type="checkbox"/> d. WOMEN-OWNED <input type="checkbox"/> e. HUBZone <input type="checkbox"/> f. EMERGING SMALL BUSINESS | | | | | | Destination |
| 13. PLACE OF | | 14. GOVERNMENT B/L NO. | | 15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) | | 16. DISCOUNT TERMS |
| a. INSPECTION USMMA, King Points, NY | b. ACCEPTANCE USMMA, King Points, NY | | | 09/30/2009 | | |

| 17. SCHEDULE (See reverse for Rejections) | | | | | | |
|---|--|-------------------------|---------------------------|----------------------|-----------------|-------------------------------------|
| ITEM NO. (a) | SUPPLIES OR SERVICES (b) | QUANTITY ORDERED (c) | UNIT (d) | UNIT PRICE (e) | AMOUNT (f) | QUANTITY ACCEPTED (g) |
| SEE LINE ITEM DETAIL | | | | | | |
| SEE BILLING INSTRUCTIONS ON REVERSE | 18. SHIPPING POINT | | 19. GROSS SHIPPING WEIGHT | | 20. INVOICE NO. | |
| | 21. MAIL INVOICE TO: Justin Breeden | | | | | 17(h) TOT. (Cont. pages) |
| | a. NAME USMMA A/P Branch, AMZ-160 | | | | | |
| | b. STREET ADDRESS (or P.O. Box) USMMA A/P Branch, AMZ-160, PO Box 25710 | | | | | \$4,600.00 17(i) GRAND TOTAL |
| | c. CITY Oklahoma City | | d. STATE OK | e. ZIP CODE 73125 | | |

| | |
|--|---|
| 22. UNITED STATES OF AMERICA BY (Signature) <i>Maximilian S. Diah</i> | 23. NAME (Typed) Max Diah TITLE: CONTRACTING/ORDERING OFFICER |
|--|---|

RECEIVING REPORT

| | | | | | |
|------------------|--------------|-------------|---------------|---|------|
| SHIPMENT | PARTIAL | | DATE RECEIVED | SIGNATURE OF AUTHORIZED U.S. GOV'T REP. | DATE |
| NUMBER | FINAL | | | | |
| TOTAL CONTAINERS | GROSS WEIGHT | RECEIVED AT | TITLE | | |
| | | | | | |

[illegible]

PAGE NO.
3 of 5

| | | |
|-----------------------------|--------------|--------------------------|
| DATE OF ORDER 09/17/2009 | CONTRACT NO. | ORDER NO. DTMA5V09192 |
|-----------------------------|--------------|--------------------------|

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17i) ➡ \$4,600.00

| | | | |
|---|---------------------------------------|------------------------------|-----------------------|
| Contract Level Funding Summary | Document Number DTMA5V09192 | Title Food Service | Page 4 of 5 |
|---|---------------------------------------|------------------------------|-----------------------|

- 7009 - 1750MA - 2009 - - 1PDA - 00 - 0007 - 0000 - - 540000 - - - 25305 - 6100 - 6600 -

\$4,600.00

Reference Requisition: CMDT09-036

Total Funding: \$4,600.00

| | | | |
|--|-----------------------------|--------------------------------|-------------|
| | Document No. DTMA5V09192 | Document Title Food Service | Page 5 of 5 |
|--|-----------------------------|--------------------------------|-------------|

COMMERCIAL CLAUSES

1 52.252-02 CLAUSES INCORPORATED BY REFERENCE

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

www.acqnet.go/far/

www.dot.gov/ost/m60/tamar/tar.htm

| Clause | Title | Date |
|-----------|---|----------------|
| 52.222-03 | Convict Labor | June 2003 |
| 52.232-01 | Payments | April 1984 |
| 52.232-08 | Discounts for Prompt Payment | February 2002 |
| 52.232-25 | Prompt Payment | October 2003 |
| 52.232-33 | Payment by Electronic Funds Transfer-Central Contractor Registration | October 2003 |
| 52.233-01 | Disputes | July 2002 |
| 52.243-01 | Changes--Fixed Price | August 1987 |
| 52.246-01 | Contractor Inspection Requirements | April 1984 |
| 52.249-04 | Termination for Convenience of the Government (Services) (Short Form) | April 1984 |
| 52.249-08 | Default (Fixed-Price Supply and Service) | April 1984 |
| 52.222-26 | Equal Opportunity | April 2002 |
| 52.222-35 | Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans | September 2006 |
| 52.222-36 | Affirmative Action For Workers with Disabilities | June 1998 |
| 52.222-41 | Service Contract Act of 1965, As Amended | July 2005 |

WD 95-0823 (Rev.-20) was first posted on www.wdol.gov on 06/02/2009
FL/HH/MS

REGISTER OF WAGE DETERMINATIONS UNDER
THE SERVICE CONTRACT ACT
By direction of the Secretary of Labor

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE AND HOUR DIVISION
WASHINGTON, D.C. 20210

Shirley F. Ebbesen Division of Wage
Director Determinations

Wage Determination No: 1995-0823
Revision No: 20
Date Of Revision: 05/26/2009

State: New York

Area: New York Counties of Nassau, Suffolk

****Fringe Benefits Required Follow the Occupational Listing****

| OCCUPATION CODE - TITLE | FOOTNOTE | RATE |
|-------------------------|----------|------|
|-------------------------|----------|------|

Food & Lodging:

| | | |
|--------------------------------------|---------|-------|
| 07041 - Cook I | | 12.80 |
| 07042 - Cook II | | 15.13 |
| 07070 - Dishwasher | | 9.29 |
| 07130 - Food Service Worker | | 10.40 |
| 07260 - Waiter/Waitress | | 9.29 |
| 11060 - Elevator Operator | | 9.29 |
| 11210 - Laborer, Grounds Maintenance | | 10.40 |
| 11240 - Maid or Houseman | | 10.40 |
| 99030 - Cashier | | 10.40 |
| 99050 - Desk Clerk | (see 1) | 10.40 |

Halfway House & Residential Community Treatment:

| | | |
|--------------------------------------|---------|-------|
| 01011 - Accounting Clerk I | | 13.78 |
| 01012 - Accounting Clerk II | | 14.30 |
| 01111 - General Clerk I | | 12.20 |
| 01311 - Secretary I | | 15.50 |
| 01611 - Word Processor I | | 12.20 |
| 07041 - Cook I | | 12.80 |
| 07042 - Cook II | | 15.13 |
| 07070 - Dishwasher | | 9.29 |
| 07130 - Food Service Worker | | 10.40 |
| 11150 - Janitor | | 10.40 |
| 11210 - Laborer, Grounds Maintenance | | 10.40 |
| 11240 - Maid or Houseman | | 10.40 |
| 23370 - General Maintenance Worker | | 13.59 |
| 27101 - Guard I | | 11.56 |
| 27102 - Guard II | | 12.52 |
| 99050 - Desk Clerk | (see 1) | 12.20 |

Moving & Storage:

| | | |
|--------------------------------------|--|-------|
| 21020 - Forklift Operator | | 12.80 |
| 21050 - Material Handling Laborer | | 11.27 |
| 21110 - Shipping Packer | | 12.80 |
| 21410 - Warehouse Specialist | | 12.80 |
| 31361 - Truckdriver, Light | | 12.80 |
| 31362 - Truckdriver, Medium | | 13.59 |
| 31363 - Truckdriver, Heavy | | 14.36 |
| 31364 - Truckdriver, Tractor-Trailer | | 15.13 |

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$3.35 per hour or \$134.00 per week or \$580.66 per month

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 5 years, 4 weeks after 15 years, and 5 weeks after 25 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of thirteen paid holidays per year: New Year's Day, Martin Luther King Jr's Birthday, Washington's Birthday, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

THE OCCUPATIONS WHICH HAVE NUMBERED FOOTNOTES IN PARENTHESES RECEIVE THE FOLLOWING:

1) Rates are applicable only under the appropriate occupational category.

**** UNIFORM ALLOWANCE ****

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

** NOTES APPLYING TO THIS WAGE DETERMINATION **

Under the policy and guidance contained in All Agency Memorandum No. 159, the Wage and Hour Division does not recognize, for section 4(c) purposes, prospective wage rates and fringe benefit provisions that are effective only upon such contingencies as "approval of Wage and Hour, issuance of a wage determination, incorporation of the wage determination in the contract, adjusting the contract price, etc." (The relevant CBA section) in the collective bargaining agreement between (the parties) contains contingency language that Wage and Hour does not recognize as reflecting "arm's length negotiation" under section 4(c) of the Act and 29 C.F.R. 5.11(a) of the regulations. This wage determination therefore reflects the actual CBA wage rates and fringe benefits paid under the predecessor contract.

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations", Fifth Edition, April 2006, unless otherwise indicated. Copies of the Directory are available on the Internet. A links to the Directory may be found on the WHD home page at <http://www.dol.gov/esa/whd/> or through the Wage Determinations On-Line (WDOL) Web site at <http://wdol.gov/>.

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE {Standard Form 1444 (SF 1444)}

Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 (C) (vi)} When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).

2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.

3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).

4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.

5) The contracting officer transmits the Wage and Hour decision to the contractor.

6) The contractor informs the affected employees.

Information required by the Regulations must be submitted on SF 1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.